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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,559	12/05/2001	Gregory Allen	24120-09	7175
7590	07/20/2004			EXAMINER NGUYEN, KHAI MINH
GREGORY ALLEN 2565 BROADWAY NEW YORK, NY 10025			ART UNIT 2684	PAPER NUMBER 9
DATE MAILED: 07/20/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/004,559	ALLEN, GREGORY
	Examiner Khai M Nguyen	Art Unit 2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 05 December 2001.
- 2a)  This action is **FINAL**.                                    2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-39 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a)  All    b)  Some \* c)  None of:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

<ol style="list-style-type: none"> <li>1) <input checked="" type="checkbox"/> Notice of Reference's Cited (PTO-892)</li> <li>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.</li> </ol>	<ol style="list-style-type: none"> <li>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.</li> <li>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6) <input type="checkbox"/> Other: _____.</li> </ol>
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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-39 are rejected under 35 U.S.C. 102(a) as being anticipated by Joao (Pat-6047270).

Regarding claim 1, Joao teaches a system for supplying information to a user about a physical location visited by the user (fig.1, col.6, lines 7-21, col.15, lines 6-19), comprising:

a portable device adapted to be carried by a human being user (fig.16, col.11, lines 26-37, col.54, lines 14-33), the portable device having a unique device identification code (fig.16, col.54, lines 14-33, col.68, lines 60-67);

a reader adapted to read the device identification code of the portable device of the user in close proximity to the reader (fig.1, col.6, lines 7-21, col.15, lines 6-19), the reader being associated with a physical location to be visited by the user and having a unique reader identification code (fig.1, col.6, lines 7-21, col.15, lines 6-19), the reader including capability to supply as an output the

device identification code of the portable device when read along with the reader identification code of the reader (fig.1, col.6, lines 7-21, col.15, lines 6-19);

a control center receiving identification information identifying an identity of the physical location and associating the received identification information with the reader identification code of the reader (fig.1, col.5, lines 38-46, col.7, lines 44-54, col.7, line 64 to col.8, line 10); the control center adapted to receive the device identification code and the reader identification code output by the reader, the control center adapted to supply fulfillment information associated with the supplied reader identification code to a user information destination associated with the received device identification code (fig.1, col.5, lines 38-46, col.7, lines 1-25, col.16, lines 8-23); the control center receiving from the user feedback information relating to an amount of usefulness to the user of the information supplied from the control center (fig.2, col.7, line 64 to col.8, line10, col.17, lines 46-63), .

Regarding claim 2, Joao teaches the system of claim 1, wherein the control center supplies the feedback information to a representative of the physical location without identifying the user of the portable device (fig.12a, fig.12b, fig.12c, col.3, lines 8-31, col.45, lines 22-38).

Regarding claim 3, Joao teaches the system of claim 1, wherein the feedback information identifies whether too much or too little information about the physical location was supplied to the user (fig.17, col.59 to col.60, line 6, col.57, lines 13-26, col.66, line 64 to col.67, line 6).

Regarding claim 4, Joao teaches the system of claim 1, wherein the control center receives from the user an amount of information to be supplied to the information destination (col.5, lines 17-32); and the control center supplies an amount of the fulfillment information in accordance with the user supplied amount of information (fig.1, col.15, lines 21-35 col.15, line 59 to col.16, line 7).

Regarding claim 5, Joao teaches the system of claim 4, wherein the feedback information supplied by the user identifies whether the amount of information supplied by the control center to the user information destination is consistent with the user identified amount of information to be supplied (col.7, lines 1-26, col.13, lines 32-40).

Regarding claim 6, Joao teaches a system for supplying information to a user about a physical location visited by the user (fig.1, col.6, lines 7-21, col.15, lines 6-19), comprising:

a plurality of portable devices supplied to human being users (fig.16, col.11, lines 26-37, col.54, lines 14-33), each of the portable devices having a respective device identification code (fig.16, col.54, lines 14-33, col.68, lines 60-67);

a plurality of readers adapted to read the device identification code of a portable device in close proximity to the respective reader (fig.1, col.6, lines 7-21, col.15, lines 6-19), each of the readers associated with a respective physical location and having a respective reader identification code (fig.1, col.6, lines 7-21, col.15, lines 6-19), each of the readers having capability to supply as an

output the read device identification code and the reader identification code of the respective reader (fig.1, col.6, lines 7-21, col.15, lines 6-19);

a control center receiving identification information identifying an identity of each of the physical locations and associating the received identification information with the reader identification code of the respective reader associated with the respective physical location (fig.1, col.5, lines 38-46, col.7, lines 44-54, col.7, line 64 to col.8, line10); the control center adapted to receive the device identification code and the reader identification code output by each of the readers (fig.1, col.5, lines 38-46, col.7, lines 1-25, col.16, lines 8-23), the control center adapted to supply fulfillment information associated with the supplied reader identification code to a user information destination associated with the received device identification code (fig.2, col.7, line 64 to col.8, line10, col.17, lines 46-63).

Regarding claim 7, Joao teaches the system of claim 6, wherein the control center generates statistical information based on usage of the plurality of portable devices and the plurality of readers (col.4, line 59 to col.5, line19, col.8, lines 47-56, col.13, lines 41-46).

Regarding claim 8, Joao teaches the system of claim 6, wherein the control center generates statistical information pertaining to a quantity of reads by each of the readers relative to quantities of reads of the other of the respective readers (fig.2, col.18, lines 43-49, col.4, line 59 to col.5, line19, col.6, lines 53-67, col.9, lines 16-45).

Regarding claim 9, Joao teaches the system of claim 6, wherein the control center generates statistical information relating to demographic information of the users of the portable devices based on the reading of the portable devices of the users by the readers (fig.3a, fig.3b, fig.3c, col.18, lines 50-59, col.4, line 59 to col.5, line19).

Regarding claim 10, Joao teaches the system of claim 6, wherein the control center generates statistical information relating to a quantity of reads by each of the readers disposed within a predetermined category of physical locations relative to quantities of reads of the other readers disposed within the predetermined category (fig.12a, fig.12b, fig.12c, col.43, line 53 to col.44, line 4).

Regarding claim 11, Joao teaches the system of claim 6, wherein the control center generates statistical information relating to a quantity of reads by each of the readers disposed within a predetermined geographical area relative to quantities of reads of the other readers disposed within the predetermined geographical area (fig.2, col.8, lines 47-56, col.13, lines 33-41, col.18, lines 6-27, col.67, line65 to col.68, line 19).

Regarding claim 12, Joao teaches the system of claim 6, wherein the control center generates statistical information relating to a quantity of reads by each of the readers disposed within a predetermined category of physical locations within a predetermined geographical area relative to quantities of reads of the other readers disposed within the predetermined category within the

predetermined geographical area (fig.2, col.8, lines 47-56, col.13, lines 33-41, col.18, lines 6-27, col.67, line65 to col.68, line 19).

Regarding claim 13, Joao teaches the system of claim 6, wherein each of the portable devices includes means for selectively setting by the user of a mode of operation of the respective portable device in one of an enable mode and a disable mode; and each of the readers is adapted to read the device identification code of only portable devices set in the enable mode (fig.3a, fig.3b, fig.3c, fig.9a, fig.9b, col.8, line 57 to col.9, line 4, col.19, lines 32-60, col.35, line 58 to col.36, line 15, col.69, lines 44-61).

Regarding claim 14, Joao teaches the system of claim 13, wherein the means for selectively setting in each of the portable devices are adapted to enable the user to change the mode of operation while visiting a physical location having a reader (fig.3a, fig.3b, fig.3c, fig.9a, fig.9b, col.8, line 57 to col.9, line 4, col.19, lines 32-60, col.35, line 58 to col.36, line 15, col.69, lines 44-61).

Regarding claim 15, Joao teaches a process of supplying information relating to a visited location to a user of a portable device (fig.1, col.6, lines 7-21, col.15, lines 6-19), comprising the steps of:

providing to a user a portable device having a device identification code stored on or in the portable device (fig.2, abstract, col.8, lines 47-56, col.17, lines 10-20);

identifying by the user of an information destination to which information is to be supplied when the user utilizes the portable device (fig.3a, fig.3b, fig.3c, col.7, lines 1-25, col.20, lines 23-36, col.44, line 63 to col.45, line 10) ;

associating the identified information destination to the device identification code of the portable device provided to the user (fig.18a, fig.18b, fig.18c, col.51, lines 32-65, col.58, lines 46-60);

disposing a reader within or near a physical location about which information is to be provided, the reader having an associated reader identification code (fig.1, fig.2, col.6, lines 7-21, col.15, lines 6-35, col.17, lines 10-20);

identifying to a control center information associated with the reader identification code and relating to the physical location (col.4, line 59 to col.5, line 5, col.10, lines 8-24);

visiting by the user of the physical location (fig.3a, fig.3b, fig.3c, fig.9a, fig.9b, col.8, line 57 to col.9, line 4, col.19, lines 32-60, col.35, line 58 to col.36, line 15, col.69, lines 44-61);

reading by the reader of the device identification code stored on or in the portable device (fig.4, col.4, lines 6-19, col.23, lines 12-32);

supplying to a control center the reader identification code and the device identification code of the portable device read by the reader (fig.1, col.6, lines 7-21, col.15, lines 6-19); and supplying by the control center the information

associated with the supplied reader identification code to the information destination associated with the supplied device identification code of the portable device (fig.1, col.15, lines 21-35, col.15, line 59 to col.16, line 7).

Regarding claim 16, Joao teaches the process of claim 15, further comprising the steps of viewing by the user of the information supplied to the information destination (fig.2, col.7, line 64 to col.8, line 10, col.17, lines 46-63); and supplying from the user to the control center feedback information relating to an amount of usefulness of the information supplied from the control center (fig.2, col.7, line 64 to col.8, line 10, col.17, lines 46-63).

Regarding claim 17, Joao teaches the process of claim 16, further comprising the step of supplying the feedback information to a representative of the physical location without identifying the user of the portable device (fig.12a, fig.12b, fig.12c, col.3, lines 8-31, col.45, lines 22-38).

Regarding claim 18, Joao teaches the process of claim 16, wherein the feedback information provided from the user to the control center identifies whether too much or too little information about the physical location was supplied by the control center to the user identified information destination (fig.17, col.59 to col.60, line 6, col.57, lines 13-26, col.66, line 64 to col.67, line 6).

Regarding claim 19, Joao teaches the process of claim 15, wherein the step of identifying by the user of the information destination includes the step of identifying by the user of an amount of information to be supplied to the

information destination (col.5, lines 17-32); and the step of supplying by the control center is carried out by supplying the information associated with the supplied reader identification code in accordance with the identified amount of information to be supplied to the information destination (fig.1, col.15, lines 21-35 col.15, line 59 to col.16, line 7).

Regarding claim 20, Joao teaches the process of claim 19, further comprising the steps of viewing by the user of the information supplied to the information destination (col.5, lines 17-32); and supplying from the user to the control center feedback information relating to whether the amount of information supplied to the information destination is consistent with the user identified amount of information to be supplied (col.7, lines 1-26, col.13, lines 32-40).

Regarding claim 21, Joao teaches the process of claim 19, wherein the step of providing to a user of a portable device is carried out by providing to a plurality of users respective portable devices (fig.16, col.11, lines 26-37, col.54, lines 14-33), each of the portable devices having a respective device identification code (fig.16, col.54, lines 14-33, col.68, lines 60-67); and the step of disposing a reader within or near a physical location is carried out by disposing within or near a plurality of physical locations respective readers, each of the readers having a respective reader identification code (fig.16, col.54, lines 14-33, col.68, lines 60-67).

Regarding claim 22, Joao teaches the process of claim 21, further comprising the step of generating statistical information based on usage of the

plurality of portable devices and the plurality of readers (col.4, line 59 to col.5, line19, col.8, lines 47-56, col.13, lines 41-46).

Regarding claim 23, Joao teaches the process of claim 21, further comprising the step of generating statistical information relating to a quantity of reads by a respective one of the readers relative to quantities of reads of other of the readers (fig.2, col.18, lines 43-49, col.4, line 59 to col.5, line19, col.6, lines 53-67, col.9, lines 16-45).

Regarding claim 24, Joao teaches the process of claim 21, further comprising the step of generating statistical information relating to demographic information of the users of the portable devices based on the reading of the portable devices of the users (fig.3a, fig.3b, fig.3c, col.18, lines 50-59, col.4, line 59 to col.5, line19).

Regarding claim 25, Joao teaches the process of claim 21, further comprising the step of generating statistical information relating to a quantity of reads by a respective one of the readers disposed within a predetermined category of physical locations relative to quantities of reads of readers disposed within the predetermined category (fig.12a, fig.12b, fig.12c, col.43, line 53 to col.44, line 4).

Regarding claim 26, Joao teaches the process of claim 21, further comprising the step of generating statistical information relating to a quantity of reads by a respective one of the readers disposed within a predetermined geographical area relative to quantities of reads of readers disposed within the

predetermined geographical area (fig.2, col.8, lines 47-56, col.13, lines 33-41, col.18, lines 6-27, col.67, line65 to col.68, line 19).

Regarding claim 27, Joao teaches the process of claim 21, further comprising the step of generating statistical information relating to a quantity of reads by a respective one of the readers disposed within a predetermined category of physical locations within a predetermined geographical area relative to quantities of reads of readers disposed within the predetermined category within the predetermined geographical area (fig.2, col.8, lines 47-56, col.13, lines 33-41, col.18, lines 6-27, col.67, line65 to col.68, line 19).

Regarding claim 28, Joao teaches the process of claim 15, further comprising the step of selectively setting by the user of a mode of operation of the portable device in one of an enable mode and a disable mode; and wherein the reading step is carried out only when the portable device is set in the enable mode (fig.3a, fig.3b, fig.3c, fig.9a, fig.9b, col.8, line 57 to col.9, line 4, col.19, lines 32-60, col.35, line 58 to col.36, line 15, col.69, lines 44-61).

Regarding claim 29, Joao teaches the process of claim 28, wherein the step of selectively setting the mode of operation of the portable device is carried out during the step of visiting by the user of the physical location (fig.3a, fig.3b, fig.3c, fig.9a, fig.9b, col.8, line 57 to col.9, line 4, col.19, lines 32-60, col.35, line 58 to col.36, line 15, col.69, lines 44-61).

Regarding claim 30, Joao teaches a system for supplying information to a user about a non-commercial facility, visited by the user (fig.1, col.6, lines 7-21, col.15, lines 6-19), comprising:

a portable device adapted to be carried by a human being user (fig.16, col.11, lines 26-37, col.54, lines 14-33), the portable device having a unique device identification code (fig.16, col.54, lines 14-33, col.68, lines 60-67);

a reader adapted to read the device identification code of the portable device of the user in close proximity to the reader (fig. Col.6, lines 7-21, col.15, lines 6-19), the reader being disposed within or near a noncommercial facility to be visited by the user and having a unique reader identification code (fig. Col.6, lines 7-21, col.15, lines 6-19), the reader including capability to supply as an output the device identification code of the portable device when read along with the reader identification code of the reader (fig.1, col.6, lines 7-21, col.15, lines 6-19);

a control center receiving identification information identifying an identity of the noncommercial facility and associating the received identification information with the reader identification code of the reader (fig.1, col.5, lines 38-46, col.7, lines 44-54, col.7, line 64 to col.8, line 10); the control center adapted to receive the device identification code and the reader identification code output by the reader, the control center adapted to supply fulfillment information associated with the supplied reader identification code to a user information destination

associated with the received device identification code (fig.1, col.5, lines 38-46, col.7, lines 1-25, col.16, lines 8-23).

Regarding claim 31, Joao teaches the system of claim 30, wherein the fulfillment information associated with the supplied reader identification code relates to a history of the non-commercial facility associated with the reader having the supplied reader identification code (fig.1, fig.2, col.5, lines 38-46, col.7, lines 1-25, col.7, line 64 to col.8, line 10, col.16, lines 8-23).

Regarding claim 32, Joao teaches the system of claim 30, wherein the fulfillment information associated with the supplied reader identification code identifies the occupants of the non-commercial facility associated with the reader having the supplied reader identification code (fig.1, fig.2, col.5, lines 38-46, col.7, lines 1-25, col.7, line 64 to col.8, line 10, col.16, lines 8-23).

Regarding claim 33, Joao teaches the system of claim 30, wherein the non-commercial facility is a memorial; and the fulfillment information associated with the supplied reader identification code identifies individuals represented by the memorial associated with the reader having the supplied reader identification code (col.1, lines 29-42, col.68, lines 35-59).

Regarding claim 34, Joao teaches the system of claim 30, wherein the non-commercial facility is a memorial; and the fulfillment information associated with the supplied reader identification code identifies a history of events represented by the memorial associated with the reader having the supplied

reader identification code (fig.12a, fig.12b, fig.12c, col.3, lines 8-31, col.45, lines 22-38).

Regarding claim 35, Joao teaches a process of supplying information relating to a non-commercial visited facility to a user of a portable device (fig.1, col.6, lines 7-21, col.15, lines 6-19), comprising the steps of:

providing to a user a portable device having a device identification code stored on or in the portable device (fig.2, abstract, col.8, lines 47-56, col.17, lines 10-20);

identifying by the user of an information destination to which information is to be supplied when the user utilizes the portable device (fig.3a, fig.3b, fig.3c, col.7, lines 1-25, col.20, lines 23-36, col.44, line 63 to col.45, line 10);

associating the identified information destination to the device identification code of the portable device provided to the user (fig.18a, fig.18b, fig.18c, col.51, lines 32-65, col.58, lines 46-60);

disposing a reader within or near a non-commercial facility about which information is to be provided, the reader having an associated reader identification code (fig.1, fig.2, col.6, lines 7-21, col.15, lines 6-35, col.17, lines 10-20);

identifying to a control center information associated with the reader identification code and relating to the non-commercial facility (col.4, line 59 to col.5, line 5, col.10, lines 8-24);

visiting by the user of the non-commercial facility (fig.3a, fig.3b, fig.3c, fig.9a, fig.9b, col.8, line 57 to col.9, line 4, col.19, lines 32-60, col.35, line 58 to col.36, line 15, col.69, lines 44-61);

reading by the reader of the device identification code stored on or in the portable device (fig.4, col.4, lines 6-19, col.23, lines 12-23);

supplying to a control center the reader identification code and the device identification code of the portable device read by the reader (fig.1, col.6, lines 7-21, col.15, lines 6-19); and supplying by the control center the information associated with the supplied reader identification code to the information destination associated with the supplied device identification code of the portable device (fig.1, col.15, lines 21-35, col.15, line 59 to col.16, line 7).

Regarding claim 36, Joao teaches the process of claim 35, wherein the step of identifying information associated with the reader identification code is carried out by identifying information relating to a history of the non-commercial facility (fig.1, fig.2, col.5, lines 38-46, col.7, lines 1-25, col.7, line 64 to col.8, line 10, col.16, lines 8-23).

Regarding claim 37, Joao teaches the process of claim 35, wherein the step of identifying information associated with the reader identification code is carried out by identifying information relating to an identity of the occupants of the non-commercial facility (fig.1, fig.2, col.5, lines 38-46, col.7, lines 1-25, col.7, line 64 to col.8, line 10, col.16, lines 8-23).

Regarding claim 38, Joao teaches the process of claim 35, wherein the step of disposing a reader is carried out by disposing a reader within or near a memorial; and the step of identifying information associated with the reader identification code is carried out by identifying information relating to identities of individuals represented by the memorial (col.1, lines 29-42, col.68, lines 35-59).

Regarding claim 39, Joao teaches the process of claim 35, wherein the step of disposing a reader is carried out by disposing a reader within or near a memorial; and the step of identifying information associated with the reader identification code is carried out by identifying information pertaining to a history of events represented by the memorial (fig.12a, fig.12b, fig.12c, col.3, lines 8-31, col.45, lines 22-38).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M Nguyen whose telephone number is 703.305.3906. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703.308.7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen  
AU : 2684

07/09/2004

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER